



Attorney Docket No.: 80398.P162

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

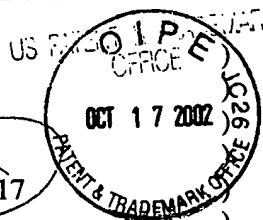
In Re Application of:

David Alan Desch

Application No.: 09/183,717

Filed: October 30, 1998

For: SYSTEM AND METHOD FOR
PROVIDING DIGITAL VIDEO AND
AUDIO BROADCASTS



Examiner: Fleurantin, J.

Art Unit: 2172

#271
PATENT

Ref & Dep
Room-307
Reg for
Refund
01-23-03

Assistant Commissioner for Patents
ATTENTION: Refund Section, Accounting Division, Office of Finance
Washington, D.C. 20231

REQUEST FOR REDUND
(Pursuant to 37 C.F.R. § 1.26(a))

Sir:

Applicant's deposit account has been incorrectly charged for a continuation patent filing fee in the amount of \$740.00. The details of the incorrect charge is outlined below.

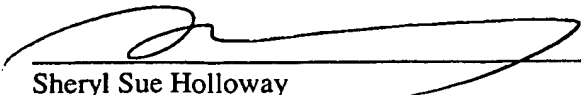
The above-referenced application had filed a RCE on January 28, 2002 which included a check in the amount of \$740.00 for the RCE filing fee which was cashed February 25, 2002.

However, applicant's deposit account was charged in the amount of \$740.00 for payment of the RCE filing fee. Applicant respectfully requests a refund in the amount of \$740.00 to be credited to Deposit Account No. 02-2666.

Accompanying this request are copies of (1) RCE transmittal, (2) Fee transmittal, (3) a photocopy of the cancelled check in the amount of \$740.00, and (4) a photocopy of the Deposit Account Statement.

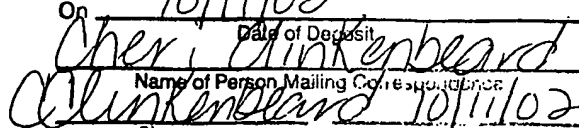
Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

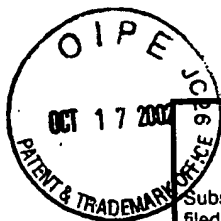
Dated: OCT. 11, 2002


Sheryl Sue Holloway
Reg. No. 37,850

12400 Wilshire Blvd., Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

On 10/11/02

Name of Person Mailing Correspondence
Signature Date



PTO/SB/30(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No.: 09/183,717
Filing Date October 30, 1998
First Named Inventor David Desch
Group Art Unit 2611
Examiner Name Grant, C.
Attorney Docket No. 080398.P162

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 740.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIREDName (Print/Type) Mark C. Van NessRegistration No. (Attorney/Agent) 39,865Signature [Signature]Date 1/28/02

FEE TRANSMITTAL FOR FY 2002**TOTAL AMOUNT OF PAYMENT (\$)** \$740.00**Complete If Known:**Application No. 09/183,717Filing Date October 30, 1998First Named Inventor David E. DeschGroup Art Unit 2611Examiner Name Grant, C.Attorney Docket No. 080398.P162**METHOD OF PAYMENT (check one)**

1. ☒ **The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:**

Deposit Account Number 02-2866
 Deposit Account Name _____

- ☒ **Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17**

- ☐ **Applicant claims small entity status. See 37 CFR 1.27**

2. X **Payment Enclosed:** X **Check**
 _____ **Money Order**
 _____ **Other**

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ 0.00**2. EXTRA CLAIM FEES**

			Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** =	_____	X _____	= _____
Independent Claims	_____	- 3** =	_____	X _____	= _____
Multiple Dependent	_____			_____	= _____

****Or number previously paid, if greater; For Reissues, see below.**

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00



BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

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(303) 740-1980

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January 28, 2002
230092657 170 3509 1008 09 23

DOLLARS \$ 740.00

PAY SEVEN HUNDRED FORTY & NO/100

TO THE ORDER OF
Director of the United States
Patent & Trademark Office
Washington, DC 20231-0001

Blakely Sokoloff Taylor & Zafman
AUTHORIZED SIGNATURE

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Deposit Account Statement



UNITED STATES
PATENT AND
TRADEMARK OFFICE

VEN# 1396
GL# 1190

Voucher# 168386

AMOUNT \$15,591-

Deposit Account Statement

Requested Statement Month: February 2002
Deposit Account Number: 022666
Name: BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
Attention: ROCHELLE SILAS
Address: 12400 WILSHIRE BLVD., NO.700
City: LOS ANGELES
State: CA
Zip: 90025

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/01	2	09580652 0126-P001XXX	202		\$252.00	\$40,839.25
PAT# 02/01	19	5799318 2408-P001C	581		\$40.00	\$40,799.25
PAT# 02/01	25	5799318 2408-P001C	581		\$40.00	\$40,759.25
02/01	109	10057704 42390-P0796	704 C999		-\$54.00	\$40,813.25
02/01	211	09052904 42390.P5943	142 ✓		\$1,280.00	\$39,533.25
02/01	249	09656527 004309.P001	561 ✓		\$30.00	\$39,503.25
02/04	1	09141837 42390.P6461	116 ✓ C0999		-\$400.00	\$39,903.25
02/04	2	09410447 002868.P004C	248 ✓		\$55.00	\$39,848.25
02/04	4	09183717 080398.P162	179 ✓		\$740.00	\$39,108.25
02/04	7	09574660 004341.P009	126 ✓		\$180.00	\$38,928.25
02/04	14	09895353 4609P002X	581 ✓		\$40.00	\$38,888.25
02/04	58	09275361 042390.P6345	102 ✓		\$168.00	\$38,720.25
02/04	59	09275361 042390.P6345	103 ✓		\$144.00	\$38,576.25
02/04	92	10052718 5657.P002	581 ✓		\$40.00	\$38,536.25
REG# 02/04	261	1179704 49071-T020	381		\$100.00	\$38,436.25
02/05	2	09052749 042390P4287	102 ✓		\$84.00	\$38,352.25
PAT# 02/05	17	5799318 2408-P001C	581		\$40.00	\$38,312.25
02/05	219	09875555 005641.P002X	102 ✓		\$24.00	\$38,288.25
02/05	241	09676886 015685.P033	122 ✓		\$130.00	\$38,158.25
02/06	3	09574683 004148.P003	116 ✓		\$400.00	\$37,758.25
02/06	14	09226804 42390-P11327	581		\$40.00	\$37,718.25
REG# 02/06	14	1179890 98315-T030	381		\$100.00	\$37,618.25
02/07	1	09201672 02344.P034X	103 ✓		\$18.00	\$37,600.25
02/07	52	10061907 42390-P14128	704 C0999		-\$168.00	\$37,768.25
02/07	131	10061557 004524.P071	103 ✓		\$18.00	\$37,750.25
02/08	2	09373080 42390-P11133	102		\$168.00	\$37,582.25
? 02/08	7	P105389	122		\$130.00	\$37,452.25